

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CLERK'S OFFICE

MARGETTA LANGLOIS,)	2005 FEB -2 P 3: 38
)	
Pro Se Plaintiff,)	U.S. DISTRICT COURT
)	CIVIL ACTION NO. CV11588
)	DISTRICT OF MASS
v.)	
)	
SAMUEL POLLACK,)	
MICHAEL HUGO,)	
ALBERT FLANDERS)	
)	
Defendants.)	

MOTION TO AMEND TRACKING SCHEDULE

NOW COMES the Defendants, Samuel M. Pollack and Albert Flanders, and respectfully moves this Honorable Court to extend the time within which to complete discovery for 30 days, or to February 28, 2005. The Defendants further request a modification of the pretrial and trial schedules. In support, the Plaintiff states as follows:

1. Under the present Scheduling Order, which was adopted from the Defendants Pretrial Scheduling Statement; discovery is to be closed by January 31, 2005.
2. On December 2, 2004, the Defendants served upon the Plaintiff a Request of Defendants for Production of Documents for Inspection and Copying as well as Interrogatories of Defendants to Plaintiff, a copy of the Request of Defendants for Production of Documents for Inspection and Copying and Interrogatories of Defendants to Plaintiff is attached hereto as Exhibit 1.

3. On December 15, 2004 the Defendants received the Plaintiff's response to the Defendants' document requests and answer to interrogatories, a copy of the Plaintiff's response is attached hereto as Exhibit 2.
4. With an appreciation for the fact that the Plaintiff is pursuing her claim Pro Se, the Defendants assert that the Plaintiff's responses to their document requests as well as the answers to interrogatories were unresponsive, insufficient and in many cases illegible.
5. On December 27, 2004 the Defendants, pursuant to Local Rule 37.1 (a) of the United States District Court For The District of Massachusetts, wrote a letter to serve as a request to meet and confer relating to the unresponsive and insufficient nature of the Plaintiff's discovery responses, a copy of the December 27, 2004 letter is attached hereto as Exhibit 3.
6. The Plaintiff contacted the Defendants and asserted that she was the victim in this matter and that it was the Defendants' obligation to produce evidence and that she has been more than responsive to the Defendants' document requests and interrogatories.
7. On January 13, 2005, the Defendants received the Plaintiff's response to their December 27, 2004 correspondence, a copy of the Plaintiff's response to the Defendants December 27, 2004 letter is attached hereto as Exhibit 4.
8. Once again, the Plaintiff's responses were unresponsive, insufficient and for the most part illegible and nonsensical.
9. Given the nature of the discovery responses received by the Defendants, from the Plaintiff, the Defendants filed a motion to compel production of

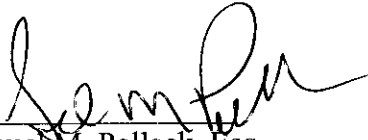
documents and answers to interrogatories addressed to the Plaintiff, Margetta Langlois, a copy of the Defendants motion to compel production of documents and answers to interrogatories is attached hereto as Exhibit 5.

10. Further, due to the Plaintiff's refusal to submit to a deposition, on January 7, 2005, the Defendants filed a Motion to Compel the Deposition of Plaintiff, Margetta Langlois, a copy of the Defendants Motion to Compel the Deposition of Plaintiff, Margetta Langlois is attached hereto as Exhibit 6.
11. Throughout the discovery process, the Defendants have acted in good faith and have made every reasonable attempt to conduct discovery in an efficient and timely manner.
12. Despite the good faith efforts of the Defendants, discovery in this matter has been hindered by the constant bad faith efforts of the Plaintiff.
13. With this, the Defendants have been prejudiced and will be unable to complete discovery within the time proscribed by the present Tracking Schedule.

Wherefore, for the foregoing reasons, the Defendants, Samuel M. Pollack and Albert Flanders respectfully request that the Court amend the Tracking Schedule to reflect a discovery cutoff of February 28, 2005.

Dated: January 31, 2005

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Sam Pollack', written over a horizontal line.

Samuel M. Pollack, Esq.,

On behalf of the Defendants, Samuel M. Pollack and Albert Flanders

BBO# 560617

Pollack & Flanders, LLP

Boston, MA 02109

CERTIFICATE OF SERVICE

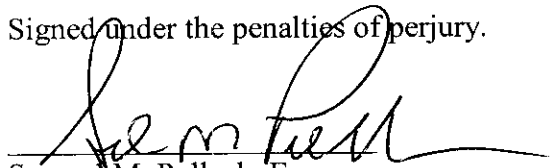
I, Samuel M. Pollack, Defendant hereby certify that I have this 31 day of January, 2005 served a copy on the Plaintiff of the within Motion to Amend Tracking Schedule, by mailing a copy of the same, postage prepaid, directed to:

Margetta Langlois
P.O. Box 3091
Holiday, FL 34690

Margetta Langlois
C/O Kathy Hagan
3 Thompsons Court
Lowell, MA 01854

Michael Hugo
95 Commercial Wharf
Boston, MA 02109

Signed under the penalties of perjury.



Samuel M. Pollack, Esq.